

SCOTTSDALE

CITY COUNCIL MEETING



*****SECOND AMENDED*** SPECIAL/GENERAL PLAN**

AMENDMENT MEETING NOTICE AND AGENDA

**[ADDED CONSENT ITEM NO. 44A AND EXECUTIVE SESSION MINUTES;
AND REWORDED CONSENT ITEM 42]**

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Robert W. Littlefield

Linda Milhaven

Guy Phillips

Dennis E. Robbins

Tuesday, December 2, 2014

Unless an exception is made, or unless otherwise noted:

Citizens will be given three minutes to address the Council during the times set aside for public comment on Consent, Regular, or Mayor and Council items and during the open call to the public (Public Comment).

The Council will not begin discussion on any new items after 10:00 p.m. Consent and Regular Items that are not heard may be continued to December 3, 2014 or January 6, 2015.

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:07 P.M.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Brownie Troop 1378, Troop Leader Angelica Hatch

Invocation – Mayor Lane requested a moment of silence.

Mayor's Report – None

Presentations/Information Updates – Planning and Development Services Director Randy Grant presentation

- **Recognition of outgoing Councilmembers Robert W. Littlefield and Dennis E. Robbins**
Presenter: Mayor W. J. "Jim" Lane
- **Recognition of General Plan Task Force Members**
Presenter(s): Erin Perreault, Planning, Neighborhood, and Transportation Manager



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

Public Comment – Howard Myers commented on City finances.

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comment regarding non-agendized items. No official Council action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during “Public Comment.”**

ADDED ITEMS

Added Items: Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

A1. Added Items

The supporting materials for Item No. 47 will be added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or to continue the added item(s) to the January 6, 2015 Council meeting.

– Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Milhaven seconded the motion, which carried 7/0.

MINUTES

*****Request:** Approve the [4:00 p.m. Special Meeting Minutes of November 12, 2014](#); the [5:00 p.m. Special Meeting Minutes of November 12, 2014](#); and the Executive Session Minutes of November 18, 2014.

– Councilwoman Milhaven made a motion to approve the 4:00 p.m. Special Meeting Minutes of November 12, 2014; the 5:00 p.m. Special Meeting Minutes of November 12, 2014; and the Executive Session Minutes of November 18, 2014. Councilwoman Klapp seconded the motion, which carried 7/0.

CONSENT AGENDA **ITEMS 1-44A**

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda, or may remove items for further discussion. If you wish to speak on an item on the Consent Agenda, please complete a Request to Speak card for each topic you wish to address. **You will be given one opportunity to speak on any or all Consent items listed on the agenda.** After all of the speakers have finished, the Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

– Councilman Robbins made a motion to approve Consent Items 1 through 44A, absent Items 24, 25, and 30, which were moved to the Regular Agenda. Councilwoman Klapp seconded the motion, which carried 7/0.

1. [The Cultured Pearl Restaurant – Social Club Liquor License \(102-LL-2014\)](#) – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.

Location: 4252 N. Drinkwater Boulevard

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. **[Costco Wholesale No. 427 Liquor License \(104-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location and owner.
Location: 15255 N. Hayden Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **[Wal-Mart Supercenter No. 2766 Liquor License \(105-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location and owner.
Location: 15355 N. Northsight Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **[AJ's Fine Foods No. 118 Liquor License \(106-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9S (liquor store with sampling privileges) State liquor license.
Location: 15031 N. Thompson Peak Parkway
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **[Bashas' No. 97 Liquor License \(107-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9 (liquor store) State liquor license.
Location: 20745 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **[Bashas' No. 99 Liquor License \(108-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9S (liquor store with sampling privileges) State liquor license.
Location: 10111 E. Bell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. **[Bashas' No. 7 Liquor License \(109-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9 (liquor store) State liquor license.
Location: 8035 E. Indian School Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. **[AJ's Fine Foods No. 75 Liquor License \(110-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9 (liquor store) State liquor license.
Location: 23251 Pima Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
9. **[AJ's Fine Foods No. 63 Liquor License \(111-LL-2014\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 7 (beer and wine store) State liquor license.
Location: 7141 E. Lincoln Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

10. **[AJ's Fine Foods No. 173 Liquor License \(112-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9 (liquor store) State liquor license.
Location: 18271 N. Pima Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
11. **[AJ's Fine Foods No. 90 Liquor License \(113-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9 (liquor store) State liquor license.
Location: 31311 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
12. **[AJ's Fine Foods No. 63 Liquor License \(114-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9 (liquor store) State liquor license.
Location: 7141 E. Lincoln Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
13. **[AJ's Fine Foods No. 90 Liquor License \(115-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 7 (beer and wine store) State liquor license.
Location: 31311 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
14. **[Bashas' No. 16 Liquor License \(116-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 9 (liquor store) State liquor license.
Location: 8423 E. McDonald Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
15. **[Fox Cigar Bar Liquor License \(117-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 7443 E. 6th Avenue
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
16. **[The Wine Shoppe Liquor License \(118-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine liquor store) State liquor license for a new location and owner.
Location: 7036 E. Main Street
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
17. **[Celebration of Fine Art Liquor License \(119-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 18400 N. Hayden Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

18. **Two Brothers Tap House & Brewery Liquor License (123-LL-2014) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 4321 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
19. **Two Brothers Tap House & Brewery Liquor License (124-LL-2014) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 3 (microbrewery) State liquor license for an existing location with a new owner.
Location: 4321 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
20. **Permanent Extension of Premises for Vivo (17-EX-2014) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license.
Location: 6560 N. Scottsdale Road, Suite 105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
21. **Permanent Extension of Premises for Hula’s Modern Tiki Scottsdale (18-EX-2014) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license.
Location: 7213 E. 1st Avenue
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
22. **Chamberlain Residence Abandonment (10-AB-2014) – Approved on Consent.**
Request: Adopt **Resolution No. 9951** approving the abandonment of approximately 165 feet of the south 5 feet of E. Cholla Street right-of-way and approximately 290 feet of the west 25 feet of roadway easement located along the western boundary of the subject lot with Single-Family Residential (R1-35) District zoning.
Location: 9723 E. Cholla Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
23. **Graythorn Non-Major General Plan Amendment and Rezoning (12-GP-2013 and 21-ZN-2004#2) – Approved on Consent.**
Requests:
 1. Adopt **Resolution No. 9921** approving a Non-Major General Plan Amendment to change the City of Scottsdale General Plan 2001 land use designation from Office to Suburban Neighborhoods on a 4.6± acre property for Case No. 12-GP-2013.
 2. Adopt **Ordinance No. 4175** approving a zoning district map amendment to amend the site plan and prior zoning stipulations, approved with Case No. 21-ZN-2004, including an amendment to the Development Plan, on a 4.6± acre property with Planned Community (P-C) District zoning with a comparable Service Residential, Environmentally Sensitive Lands (S-R ESL) zoning district; and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan for Case No. 21-ZN-2004#2.
 3. Adopt **Resolution No. 9922** declaring as a public record that certain document entitled “Graythorn Development Plan.”**Location:** Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

24. **7326 Uprising Rezoning (15-ZN-2014) – Vice Mayor Phillips made a motion to approve the 7326 Uprising Rezoning. Councilmember Korte seconded the motion, which carried 7/0.**
Request: Adopt **Ordinance No. 4182** approving a zoning district map amendment for amended development standards to amend the street setback from 20 feet to approximately 8 feet for a 2,100± square-foot parcel with Highway Commercial Parking District Downtown Overlay (C-3/P-3/DO) and Parking District Vehicle Parking Downtown Overlay (P-2 DO) zoning; and finding that the proposed zoning district map amendment is consistent and conforms to the Downtown Plan, Downtown Plan Urban Design and Architectural Guidelines and the adopted General Plan.
Location: 7326 E. 6th Avenue
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
25. **DC Ranch Parcel T3A Classification (54-ZN-1989#2M) – Councilman Robbins made a motion to adopt Ordinance No. 4185 affirming the zoning classification approved in Case No. 54-ZN-1989#8. Councilwoman Milhaven seconded the motion, which carried 6/1, with Vice Mayor Phillips dissenting.**
Request: Adopt **Ordinance No. 4185** affirming the zoning classification approved in Case No. 54-ZN-1989#8 approving final ordinance adoption for DC Ranch Parcel T3A as Planned Community Center, Planned Community District (PCC PCD).
Location: Northeast corner of N. Thompson Peak Parkway and E. Legacy Boulevard
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
26. **Barrio Queen Outdoor Dining License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9846** authorizing Outdoor Dining License Agreement No. 2014-118-COS with Vinger Stetson Holding Company, Inc. for an outdoor dining patio on City right-of-way.
Location: 7114 E. Stetson Drive, Building A, Suite 100
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
27. **Acquisition of State Trust Lands for Future Fire Station No. 613 – Approved on Consent.**
Request: Adopt **Resolution No. 9911** authorizing the City Manager, or designee, to submit bids, and, if the City is the successful bidder, authorize staff to pay required deposits and provide complete payment to the Arizona State Land Department for the following property to be sold at auction on January 13, 2015:
1. Approximately 0.46 acres of State Trust land, located south of Jomax Road, along Hayden Road.
 2. Approximately 11.4 acres of State Trust land, located south of Jomax Road, along the west-side of Hayden Road.
- Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
28. **Chaparral Water Treatment Plant Electrical Modifications Contract – Approved on Consent.**
Request: Adopt **Resolution No. 9937** authorizing Design and Construction Contract No. 2014-178-COS with the Salt River Project Agricultural Improvement and Power District in the amount of \$150,737 to design and construct electrical modifications to the Chaparral Water Treatment Plant electrical feed system.
Location: 8111 E. McDonald Road
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

29. **Water Storage Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9961** authorizing Contract No. 2014-192-COS with the Central Arizona Water Conservation District for the underground storage of the City's unused Central Arizona Project water allocation at the Superstition Mountains Recharge Facility.
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov
30. **Transit Vehicle Procurement Agreement – Vice Mayor Phillips made a motion to approve the Transit Vehicle Procurement Agreement. Councilmember Korte seconded the motion, which carried 7/0.**
Request: Adopt **Resolution No. 9962** authorizing an acknowledgement with Gillig, LLC, for the City to use the agreement between Gillig, LLC, and the Metro Regional Transit Authority in Akron, Ohio, to purchase eight transit buses in an amount estimated at \$5,200,000.
Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
31. **Proposition 202 Funds Acceptance Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9959** to authorize:
 1. Intergovernmental Agreement No. 2014-191-COS with the Salt River Pima-Maricopa Indian Community to accept \$1,624,233 in Proposition 202 Tribal Gaming funds.
 2. A budget transfer in the amount of \$1,624,233 from the adopted FY 2014/15 Grant Contingency and/or the Future Grants Budget to the center assigned to record all the grant activity.**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
32. **Arizona Mutual Aid Compact Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9966** authorizing Intergovernmental Agreement No. 2014-204-COS with the Arizona Department of Emergency and Military Affairs and various signatory jurisdictions within the State of Arizona for participation in the Arizona Mutual Aid Compact.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
33. **Police Department Urban Area Security Initiative Grants – Approved on Consent.**
Request: Adopt **Resolution No. 9957** to authorize:
 1. CBRNE Police Grant No. 2014-185-COS with the Arizona Department of Homeland Security in the amount of \$54,000.
 2. Terrorism Liaison Office Police Grant No. 2014-186-COS with the Arizona Department of Homeland Security in the amount of \$60,400.
 3. A budget transfer in the amount of \$114,400 from the adopted FY 2014/15 Future Grants Budget and/or the Grant Contingency Budget and the creation of two new cost centers to record the related grant activities.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov
34. **ESPN Superbowl Party WestWorld Event Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9898** authorizing Contract No. 2014-158-COS with ESPN, Inc., to produce the Superbowl 2015 Event and VIP Party event at the WestWorld facility.
Staff Contact(s): Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov
35. **Scottsdale Museum of the West Management Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9977** authorizing Contract No. 2013-025-COS-A2, the second amendment to the Scottsdale Museum of the West management agreement.
Staff Contact(s): Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

36. **Scottsdale Stadium Concession Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9965** authorizing Contract No. 2008-075-COS-A1, the first amendment to the Scottsdale Stadium concession agreement with Arizona Sportservice, Inc., for the provision of alcoholic beverage services at Scottsdale Stadium.
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
37. **Senior Services Sponsor Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9973** authorizing City Event Sponsor Agreement No. 2014-206-COS with WSL McDowell Village, LLC, in the amount of \$25,000, to produce sixteen special events at the Granite Reef and Via Linda Senior centers in 2015.
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
38. **Naming of Preserve Trail – Approved on Consent.**
Request: Adopt **Resolution No. 9978** authorizing naming the interpretive trail at the Lost Dog Wash Trailhead the “Kovach Family Nature Trail.”
Staff Contact(s): Kroy Ekblaw, Executive Assistant Strategic Projects, 480-312-7064, kekblaw@scottsdaleaz.gov
39. **Request for Exemption from Posting Security for Outstanding Workers’ Compensation Claims – Approved on Consent.**
Request: Adopt **Resolution No. 9976** authorizing the execution of a letter to the Industrial Commission of Arizona requesting an exemption to the requirement to post security for outstanding workers’ compensation claims.
Staff Contact(s): Katherine Callaway, Risk Management Director, 480-312-7841, kcallaway@scottsdaleaz.gov
40. **Swimming Pools, Spas, and Hot Tubs Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4186** amending Scottsdale Revised Code Chapter 31, Buildings and Building Regulations, Article III, relating to Appendix G, Swimming Pools, Spas, and Hot Tubs, of the 2012 Edition of the “International Residential Code for One- and Two-Family Dwellings.”
Staff Contact(s): Michael Clack, Chief Development Officer, 480-312-7629, mclack@scottsdaleaz.gov
41. **Taxation Code Amendment – Approved on Consent.**
Requests:
 1. Adopt **Resolution No. 9970** declaring the document entitled “2014 Amendments to Appendix C, Privilege and Excise Taxes, Article III, Licensing and Recordkeeping” as a public record.
 2. Adopt **Ordinance No. 4183** amending Appendix C, Privilege and Excise Taxes, Article III, Licensing and Recordkeeping, of the Scottsdale Revised Code to conform to Municipal Tax Code Commission changes.**Staff Contact(s):** Teresa Hogle, Business Services Manager, 480-312-2463, thogle@scottsdaleaz.gov
- ***42. **Independent Ethics Reviewers Professional Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 9964** authorizing the following professional services contracts to allow retired judges to serve as independent ethics reviewers, as required by Scottsdale Revised Code Section 2-57:
 1. Contract No. 2014-197-COS with Kenneth L. Fields
 2. Contract No. 2014-198-COS with William J. Schafer, III
 3. Contract No. 2014-199-COS with Noel Fidel
 4. Contract No. 2014-201-COS with Robert D. Myers
 5. Contract No. 2014-202-COS with Cecil B. Patterson**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2659, bwashburn@scottsdaleaz.gov

43. **Audit Committee Recommendation for McDowell Sonoran Preserve Commission Sunset Review – Approved on Consent.**

Request: Adopt **Resolution No. 9980** accepting the Audit Committee's recommendation and authorizing continuation of the McDowell Sonoran Preserve Commission.

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

44. **Monthly Financial Report – Approved on Consent.**

Request: Accept the FY 2013/14 Monthly Financial Report as of June 2014 (fiscal year end).

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

***44a. **Tysver v. City of Scottsdale Settlement Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 9988** authorizing settlement in the amount of \$100,000 of Michael Tysver's negligence lawsuit against the City entitled Tysver, et al. v. City of Scottsdale, Case No. CV 2013-001476, currently pending in the Maricopa County Superior Court.

Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

REGULAR AGENDA ITEMS 45-48

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Request to Speak card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time may be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on that item.**

45. **Fiscal Year 2013/14 Annual Financial Audit – Councilwoman Klapp made a motion to accept the Fiscal Year 2013/14 Annual Financial Audit. Councilwoman Milhaven seconded the motion, which carried 7/0.**

Request: Accept the Fiscal Year 2013/14 annual financial audit reports submitted by the City's external auditors, CliftonLarsonAllen LLP.

Presenter(s): Sharron Walker, City Auditor

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

46. **Cavalliere Ranch Rezoning (13-ZN-2014)**

– Vice Mayor Phillips made a motion to table Ordinance No. 4181 until the Council receives more input from the public and staff. Motion died for lack of a second.

– Councilwoman Milhaven made a motion to adopt Ordinance No. 4181 approving a zoning district map amendment and development plan for 462± acres with Single-Family Residential, and adopt Resolution No. 9971 declaring as a public record that certain document entitled "Cavalliere Ranch Development Plan." Councilwoman Klapp seconded the motion, which carried 5/2, with Vice Mayor Phillips and Councilman Littlefield dissenting.

Requests:

1. Adopt **Ordinance No. 4181** approving a zoning district map amendment and development plan for 462± acres with Single-Family Residential, Environmentally Sensitive Lands (R1-130/ESL) zoning district designation to the Planned Community District, Environmentally Sensitive Lands, with multiple Single-Family Residential district comparable zonings (P-C R1-18/ESL, R1-43/ESL, R1-35/ESL, and R1-70/ESL; and finding that the PCD Zoning District criteria have been met and determine that the proposed zoning map amendment is consistent and conforms with the adopted General Plan.
2. Adopt **Resolution No. 9971** declaring as a public record that certain document entitled "Cavalliere Ranch Development Plan."

Location: Between E. Ranchgate Road and E. Pinnacle Peak Road and between N. 128th Street and N. 134th Street

Presenter(s): Jesus Murillo, Sr. Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

47. [Bahia Work Live Play Non-Major General Plan Amendment and Rezoning \(6-GP-2014 and 14-ZN-2014\)](#)

– Councilman Robbins made a motion to adopt Resolution No. 9952, Ordinance No. 4184, Resolution No. 9958, and Resolution No. 9969. Councilmember Korte seconded the motion, which carried 6/1, with Councilman Littlefield dissenting.

– Councilmember Korte made a motion to call the question. Councilwoman Milhaven seconded the motion, which carried 7/0.

– Councilwoman Milhaven made a motion to direct staff to agendize a discussion on alternative uses for the funds that are going to be paid by the developer for WestWorld improvements. Councilman Littlefield seconded the motion, which carried 5/2, with Mayor Lane and Councilwoman Klapp dissenting.

Requests:

1. Adopt **Resolution No. 9952** approving a Non-Major General Plan Amendment to change the City of Scottsdale 2001 General Plan land use designation from Employment to Mixed-Use Neighborhoods, and a Non-Major General Plan Amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use – Residential (AMU-R) for Case No. 6-GP-2014.
2. Adopt **Ordinance No. 4184** approving a zoning district map amendment to amend the development standards for Case No. 33-ZN-2000 (Horseman’s Park), and amend the Planned Community (P-C) District zoning from the comparable Industrial Park (I-1 PCD) District to Planned Airpark Core Development, Airpark Mixed Use – Residential (PCP AMU-R PCD), including a Development Plan, increasing the allowed Floor Area Ratio (FAR) for commercial parcels in the Horseman’s Park PCD (specific to this site) from 0.3 to 1.2, and the allowed building height from 42 feet, including mechanical screening, to 65-feet, inclusive of rooftop appurtenances, using PCP bonuses for building height and FAR; and finding that the PCD criteria have been met and the zoning district map amendment is consistent and conforms to the adopted General Plan for a 5.1± gross acre property for Case No. 14-ZN-2014.
3. Adopt **Resolution No. 9958** declaring as a public record that certain document entitled “Bahia Work/Live/Play Development Plan.”
4. Adopt **Resolution No. 9969** authorizing Development Agreement No. 2014-188-COS with Bahia Live Work Townhome, LLC, for construction of a Mixed Use Development.

Location: 16576 N. 92nd Street

Presenter(s): Greg Bloemberg, Sr. Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

48. [Police Compensation Issues – Strategic Initiatives Director Brent Stockwell presentation](#)

Request: Presentation, discussion, and possible direction to staff on study of police compensation issues as a follow-up item from the City Council budget discussions.

Presenter(s): Fritz Behring, City Manager

Staff Contact(s): Fritz Behring, City Manager, 480-312-2800, fbehring@scottsdaleaz.gov

Public Comment – None

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comment regarding non-agendized items. No official Council action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during “Public Comment.”**

CITIZEN PETITIONS

ITEM 49

Citizen Petitions: This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s)**. A Request to Speak card must be submitted, together with the petition(s), **before** the second Public Comment period begins.

49. Receipt of Citizen Petitions – None

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendaize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

Staff Contact(s): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

Mayor and Council Items – None

Adjournment – 8:48 P.M.